

Judge Kandis A. Westmore  
United States District Court for the Northern District  
of California 1301 Clay Street  
Oakland, CA 9461

Re: Paul Somers v. Digital Realty Trust, Inc.  
& Ellen Jacobs  
Case No. 3:14-cv-05180  
**Request for Hearing**

Further improper ex parte communications were sent to you yesterday from Seyfarth Shaw on behalf of Defendant. In their directive to you on how to proceed, they included more false statements.

Mr. Ashe of Seyfarth as essentially admitted to several of his fabrications by way of his inability to provide supporting documentation. Many of his false statements were used to try and convince the Court to sanction me. This is just further proof that the entire discovery process has gone off track.

At a hearing on March 24, 2016, I requested assistance with discovery from Judge Chen because the defendants were not providing documentation. Nothing has changed. Increments of progress have been made. Plaintiff was able to discover how the defendant, working with their ESI team, produced so few documents. Plaintiff did not have the chance to explain this at the March 21 meet and confer nor was I prepared to do so.

The court should not accept the explanation given by the Seyfarth at that meeting regarding search terms. It was based on Seyfarth's word and not on facts. What I can prove is that nearly all the discovery I have requested is outstanding. The defendants will not be able to refute this in a convincing way. A little time invested in this effort should result in a great reduction of effort going forward if we can avoid trial.

Plaintiff specifically requests a hearing, not a meet and confer, so there is an official record of the event. Plaintiff also requests that no further actions or orders be given until after this hearing occurs.

May 11, 2017

Respectfully Submitted



Paul Somers  
Pro Se